

criminal appeals taken from the courts of justices of the peace and which are certified to and docketed in the criminal courts of the respective counties aforesaid, the solicitor to be appointed and elected under this act shall appear and prosecute for the state, and shall, in case of conviction, be entitled to the same fees as for convictions in the superior courts of said counties; and if no exception is taken before entering upon the trial of any appeal certified to and docketed in the criminal courts of the respective counties aforesaid, the same shall be deemed a waiver of the trial of the said criminal cause in the superior courts of the respective counties aforesaid. That all appeals shall lie from the superior court to the supreme court as now provided by law for offenses originally tried in the superior courts and appealed to the supreme court.

Appeals from superior court to supreme court.

SEC. 6. That in case an appeal is taken from the judgment of the said criminal court for any of the counties aforesaid to the judge of the superior court riding the district on any question of law or legal inference and the said judge shall reverse or modify the decision of the criminal court from which the cause was appealed, that the state or the prisoner or prisoners as the case may be shall be entitled and allowed to appeal directly to the supreme court from the decision of any such judge as aforesaid, and the appeal to the supreme court shall be made up in such manner as appeals are made up as now provided for offenses originally tried in the superior courts of the state and appealed to the supreme court. That in case of appeal from the criminal court to the judge of the superior court riding the district on any question of law or legal inference and said judge shall reverse the decision of the criminal court from which such appeal was taken and no exception was taken to the judgment of the said judge of the superior court and no appeal is taken to the supreme court, the same shall be certified to the clerk of the criminal court, and in case a new trial is granted shall be docketed in the criminal court from which appeal was taken, and shall be heard and tried at the next term of the criminal court.

State or defendant may appeal from superior court in certain cases.

Shall be certified to clerk.

SEC. 7. That there shall be one judge for the said eastern district criminal court, who shall preside over the said courts and who shall be appointed and elected by the general assembly of North Carolina, and who shall receive as compensation for his services the [sum] of two thousand seven hundred and fifty dollars (\$2,750) per year, to be paid by the treasurer of the state of North Carolina on the warrant of the auditor out of any money not otherwise appropriated; and said judge shall take the oath prescribed for judges of the superior court and shall hold his office for the term of four years or until his successor is duly ap-

Judge of said court how elected.

Compensation.

Judge shall take oath.

Term of office.